

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF NORTH CAROLINA

IN RE: Mariah D. Jones

CASE NO: 11-80291 CH-13

Debtor

MOTION TO RECONSIDER AN ORDER OF
DISMISSAL ENTERED ON AUGUST 10, 2011

NOW comes the debtor by and through her undersigned attorney, and moves the court to enter an order rescinding the Order of Dismissal entered on August 10, 2011. In support thereof, debtor alleges as follows:

1. On February 17, 2011, the debtor filed a petition for relief under Chapter 13 of the bankruptcy code.
2. The plan was confirmed on June 1, 2011 with a monthly payment of \$230.00.
3. The debtor paid \$690.00 to the trustee for disbursement into the plan.
4. The debtor got behind on the payments to Chapter 13 in June 2011 due to her husband having an emergency appendectomy and she had to make a down payment to the hospital for payment for the surgery.
5. On August 10, 2011 her case was automatically dismissed for being behind on the payments more than 30 days.
6. The debtor believes that the interest of justice will be best served if the dismissal order is rescinded so that the debtor can pay the amount she is behind in order to receive a discharge of all dischargeable debts.

WHEREFORE, the debtor respectfully requests that an Order be entered as follows:

- a. The court enter an Order rescinding the Order of Dismissal entered on August 10, 2011;
- b. The Court allow the debtor to pay the amount necessary to catch up the delinquency on her plan payments;

This is the 16th day of August, 2011

/s/ Donald D. Pergerson
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